

The School Counselor and Section 504 Plan and Process

(Adopted 2024)

American School Counselor Association (ASCA) Position

School counselors are an integral part of the Section 504 team for students on their caseload, and they provide a vital role and advocate for students. Although school counselors serve on the 504 team, they should not be tasked with 504 coordination to avoid a conflict between school counseling program implementation and the administrative duties of the 504 coordinator/case manager.

The Rationale

Section 504 of the Rehabilitation Act of 1973 is federal legislation overseen by the Office of Civil Rights that protects the rights of students with disabilities and eliminates discrimination based on disability. Section 504 mandates equitable access to a “free and appropriate public education” (FAPE) and ensures appropriate and reasonable accommodations are in place to meet students’ educational needs. According to Section 504, the term “disability” is broadly defined as any “physical or mental impairment that substantially limits one or more major life activities” ([US DoE, 2023](#)). A plan written to accommodate a Section 504 disability (i.e., 504 plan) is a legally binding document, and all members involved in the writing of that plan should be adequately trained in understanding the process and legal requirements (Milsom & DeWeese, 2021).

School counselors may be the first contact for concerned parents/guardians, students or teachers. School counselors serve as advocates, supporting students and families through the Section 504 process while increasing access to the process for families traditionally marginalized due to their race, culture or socioeconomic status (Lewis & Muniz, 2023). To best meet students’ holistic needs, an interdisciplinary team of school personnel (e.g., administrator, school counselor, school nurse, teachers, interventionist) should be involved in the evaluation and identification process and, if deemed necessary, determine appropriate accommodations for the student to access the curriculum (Milsom & DeWeese, 2021). School counselors on the 504 team should also actively work to dismantle systemic inequities within the identification or accommodation process (Lewis & Muniz, 2023).

Initiating, writing and managing the 504 process are non-school-counseling tasks and inappropriate duties for a school counselor (ASCA, 2019). The coordination or case management of Section 504 plans creates multiple role conflicts for school counselors including:

- 43 • **Conflict with responsibilities to all students in the school** – School
44 counselors develop and implement a school counseling program for all
45 students, including students with disabilities. Placing school counselors in the
46 role of the 504 coordinator/case manager forces them to put a significant
47 amount of time into the needs of a small number of students rather than using
48 that time to meet the academic, career and social/emotional needs of all
49 students (ASCA, 2019).
- 50 • **Conflict with the role of student advocate** – When school counselors are
51 placed in the 504 coordination/case manager role, they are responsible for
52 deciding what accommodations are provided to the student, if any. This
53 authority over services directly conflicts with the school counselor being
54 primarily an advocate and providing student support. It may impair the ability
55 of the school counselor to create or maintain a strong counseling relationship
56 (Goodman-Scott & Boulden, 2020).
- 57 • **Conflict with staff and teachers** – School counselors acting as the 504
58 coordinator/case manager may experience role conflict with staff and teachers
59 as they are required to oversee implementation and ensure compliance with
60 the 504 plan. This evaluative stance may undermine the school counselor's
61 collaborative relationship with faculty and staff (Goodman-Scott & Boulden,
62 2020).

63 64 **The School Counselor's Role**

65 The primary role of the school counselor in the 504 planning process is to be an
66 essential member of the 504 interdisciplinary team. All members of the 504
67 interdisciplinary team need to be adequately trained in Section 504 law and
68 processes (Milsom & DeWeese, 2021; US DoE, 2023). The school counselor is
69 uniquely positioned to advocate for students and families, collaborate with faculty
70 and staff, and work toward creating equitable systems and access to the 504
71 process. Specifically, school counselors perform the following essential functions as a
72 member of the 504 interdisciplinary team:

- 73 • Advocate for students and support families
 - 74 ○ Assist them with gaining access to the 504 process and procedural rights
75 (Lewis & Muniz, 2023),
 - 76 ○ Help them understand the translation of services from assessments to
77 school settings (Milsom & DeWeese, 2021)
- 78 • Collaborate and consult with students; parents/guardians; teachers;
79 administration; school psychologists; and other physical, mental and
80 behavioral health care providers to reach a consensus around appropriate and
81 reasonable accommodations, if any (Lewis & Muniz, 2023; Milsom & DeWeese,
82 2021)
- 83 • Support students who receive accommodations with all life transitions,
84 including postsecondary transitions, and teach self-advocacy skills as
85 developmentally appropriate to ensure access to Section 504 supports
86 (Lombardi, et al., 2022; Milsom & DeWeese, 2021)
- 87 • Advocate that school counselors are not written into the 504 plan as
88 accommodation providers or facilitators, especially providing long-term

- 89 therapy since this is outside the scope of practice for a school counselor
90 (ASCA, 2022, A.1.e.)
- 91 • Engage in training on 504 law and process for school counselors alongside
92 school staff, faculty and administration (Goodman-Scott & Boulden, 2020)
 - 93 • Use culturally sensitive planning processes and consider how social
94 determinants of mental health are affecting students and their disability when
95 determining needs and accommodations for the 504 plan (Johnson, et al.,
96 2023; Lewis & Muniz, 2023)
 - 97 • Disaggregate disciplinary actions and advanced coursework enrollment
98 statistics to ensure that students with 504 plans are not over- or
99 underrepresented in these categories ([US DoE, 2024](#))
 - 100 • Use extreme care and communication if tasked with taking on an eligibility
101 determination role within the 504 process that could negatively affect the
102 counseling relationship (Goodman-Scott & Boulden, 2020)
 - 103 • Advocate for the inclusion of the school counselor’s role in the 504 process
104 within school counselor preparation programs (Goodman-Scott & Boulden,
105 2020)

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107 If school counselors are tasked with 504 coordination or case management in their
108 school or district, they should actively advocate against that role. Until that role is
109 removed, school counselors should ensure they are not the sole decision-makers in
110 determining 504 evaluation and identification and whether any accommodations are
111 provided to the student.

112
113 **Inappropriate Section 504 responsibilities/duties for the school counselor**
114 **include but are not limited to:**

- 115 • Making singular decisions regarding student placement or retention
- 116 • Serving in any supervisory capacity related to Section 504 implementation
- 117 • Serving as the school district representative for the team writing the Section
118 504
- 119 • Coordinating, writing or supervising a specific plan under Section 504 of Public
120 Law 93-112 (i.e., no case management)
- 121 • Providing long-term therapy to students with disabilities (ASCA, 2022)
- 122 • Coordinating 504 meetings and preparing and disseminating student records

123
124 **Summary**

125 School counselors support all students, including students with disabilities. School
126 counselors serve a vital role on the Section 504 team as an advocate for students.
127 School counselors should not be responsible for developing, implementing,
128 monitoring, coordinating or managing 504 plans to avoid conflicts with their role for
129 all students in the building, their role as an advocate for students and their work
130 with staff and teachers. When school counselors serve as Section 504
131 coordinators/case managers, equitable access to a school counseling program and
132 working relationships with students, families and school staff will be negatively
133 affected.

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